

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

United States of America,	)	Case No. 6:20-cv-04023-DCC-JDA
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
Maree Blackston, Barry C. Blackston,	)	
Barry C. Blackston d/b/a Greenville	)	
Internal Medicine, GIM Barry	)	
Blackston MD PA, Greenville County	)	
Office of the Tax Collector, SC	)	
Department of Employment and	)	
Workforce, Cryptomaria LLC,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court upon Plaintiff's motion for default judgment as to GIM Barry Blackston, MD, PA. ECF No. 45. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to United States Magistrate Judge Jacquelyn D. Austin for pre-trial proceedings and a Report and Recommendation ("Report"). On July 7, 2021, the Magistrate Judge issued a Report recommending that the motion for default be denied with leave to refile. ECF No. 51. The Magistrate Judge advised the parties of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. No party has filed objections and the time in which to do so has lapsed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final

determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” (citation omitted)).

As stated above, no party has objected to the Magistrate Judge's Report. Accordingly, after considering the record in this case, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error and agrees with the recommendation of the Magistrate Judge. The motion for default judgment [45] is **DENIED** without prejudice to the right to renew the motion at a later stage in the litigation.

IT IS SO ORDERED.

s/ Donald C. Coggins, Jr.  
United States District Judge

September 13, 2021  
Spartanburg, South Carolina